

Comment Summary and Responses
Administrative Update to Add Chapter 7 to the Basin Plan
Comment Due Date: November 14, 2011

1. County Sanitation Districts of Los Angeles County (Sanitation Districts)
2. Joyce Dillard
3. Teresa Jordan

No.	Author	Comment	Response
1.1	Sanitation Districts	The County Sanitation Districts of Los Angeles County (Sanitation Districts) appreciate the opportunity to submit comments on the California Regional Water Quality Control Board, Los Angeles Region's (Regional Board's) proposed non-regulatory amendments to add Chapter 7, "Total Maximum Daily Loads", to administratively update the Water Quality Control Plan for the Los Angeles Region (Basin Plan). The Sanitation Districts are a confederation of 23 special districts, which operate and maintain regional wastewater and solid waste management systems for over 5 million people who reside in 78 cities and unincorporated areas in Los Angeles County. The Sanitation Districts operate 11 wastewater treatment plants and maintain approximately 1,400 miles of sewer lines, which convey flows from industries and municipalities within service areas to the aforementioned wastewater treatment plants. Sanitation Districts' water reclamation facilities discharge into inland surface waters and waters of the state, including groundwater. As such, the Sanitation Districts' operations may be affected by the Basin Plan amendments and their implementation.	Comment noted.
1.2	Sanitation Districts	The Sanitation Districts appreciate the Regional Board's efforts to add Chapter 7 to the Basin Plan by incorporating the 30 total maximum daily loads (TMDLs) that have been adopted and approved since the current Basin Plan was adopted in 1994. While the Sanitation Districts believe that the updated Basin	The purpose of the proposed Regional Board action is to adopt non-regulatory amendments to administratively update Chapter 7 of the Basin Plan. All of these basin plan amendments have been adopted and approved, and the

Comment Summary and Responses
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		Plan will provide clarity and be a more useful document than the current Basin Plan, and that Regional Board staff did an excellent job in incorporating the previously adopted TMDLs, our review of the proposed updates indicates that there are several minor corrections, detailed below, which should be corrected prior to adoption.	purpose of this update is to incorporate them into the Basin Plan. See below for responses to specific comments.
1.3	Sanitation Districts	Since adoption of many of these TMDLs, the Department of Health Services has changed their name to the California Department of Public Health. The Sanitation Districts suggest updating the language to reflect the new name throughout Chapter 7.	As the TMDLs are reconsidered, they can be amended to take into account this change in agency name. This change pertains primarily to the bacteria TMDLs, five of which are scheduled for reconsideration by the Regional Board during 2012. Therefore, this change can be made at that time.

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1.4	Sanitation Districts	<p><u>Chapter 7-4 Santa Monica Bay Beaches Bacteria TMDLs</u> As currently proposed, station IDs (the far left column) are provided for all sites listed in Table 7-4.2b with the exception of "County Sanitation Districts of Los Angeles County Sites" listed on page 7-34. To maintain consistency, the Sanitation Districts request the Regional Board include station IDs, which are provided in bold on the following table, for these sites as well.</p> <table border="1" data-bbox="491 561 1289 927"> <thead> <tr> <th colspan="5" data-bbox="491 561 1289 634"><i>County Sanitation Districts of Los Angeles County Sites</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="491 634 680 670">LACSD1</td> <td data-bbox="680 634 926 670">Long Point</td> <td data-bbox="926 634 1129 670">Palos Verdes</td> <td data-bbox="1129 634 1192 670">1</td> <td data-bbox="1192 634 1289 670">0</td> </tr> <tr> <td data-bbox="491 670 680 706">LACSD2</td> <td data-bbox="680 670 926 706">Abalone Cove</td> <td data-bbox="926 670 1129 706">Palos Verdes</td> <td data-bbox="1129 670 1192 706">1</td> <td data-bbox="1192 670 1289 706">0</td> </tr> <tr> <td data-bbox="491 706 680 742">LACSD3</td> <td data-bbox="680 706 926 742">Portuguese Bend</td> <td data-bbox="926 706 1129 742">Palos Verdes</td> <td data-bbox="1129 706 1192 742">1</td> <td data-bbox="1192 706 1289 742">0</td> </tr> <tr> <td data-bbox="491 742 680 777">LACSD5</td> <td data-bbox="680 742 926 777">Royal Palms</td> <td data-bbox="926 742 1129 777">Palos Verdes</td> <td data-bbox="1129 742 1192 777">1</td> <td data-bbox="1192 742 1289 777">0</td> </tr> <tr> <td data-bbox="491 777 680 813">LACSD6</td> <td data-bbox="680 777 926 813">Wilder Annex</td> <td data-bbox="926 777 1129 813">Palos Verdes</td> <td data-bbox="1129 777 1192 813">1</td> <td data-bbox="1192 777 1289 813">0</td> </tr> <tr> <td data-bbox="491 813 680 849">LACSD7</td> <td data-bbox="680 813 926 849">Cabrillo Beach</td> <td data-bbox="926 813 1129 849">Palos Verdes</td> <td data-bbox="1129 813 1192 849">1</td> <td data-bbox="1192 813 1289 849">0</td> </tr> <tr> <td data-bbox="491 849 680 885">LACSDMC</td> <td data-bbox="680 849 926 885">Malaga Cove</td> <td data-bbox="926 849 1129 885">Palos Verdes</td> <td data-bbox="1129 849 1192 885">2</td> <td data-bbox="1192 849 1289 885">0</td> </tr> <tr> <td data-bbox="491 885 680 920">LACSDBC</td> <td data-bbox="680 885 926 920">Bluff Cove</td> <td data-bbox="926 885 1129 920">Palos Verdes</td> <td data-bbox="1129 885 1192 920">0</td> <td data-bbox="1192 885 1289 920">0</td> </tr> </tbody> </table>	<i>County Sanitation Districts of Los Angeles County Sites</i>					LACSD1	Long Point	Palos Verdes	1	0	LACSD2	Abalone Cove	Palos Verdes	1	0	LACSD3	Portuguese Bend	Palos Verdes	1	0	LACSD5	Royal Palms	Palos Verdes	1	0	LACSD6	Wilder Annex	Palos Verdes	1	0	LACSD7	Cabrillo Beach	Palos Verdes	1	0	LACSDMC	Malaga Cove	Palos Verdes	2	0	LACSDBC	Bluff Cove	Palos Verdes	0	0	<p>The station names provided in Chapter 7-4 are adequately clear.</p> <p>In addition, the Santa Monica Bay Beaches Bacteria TMDLs are scheduled to be reconsidered in 2012. The addition of station IDs for shoreline monitoring stations along the Palos Verdes Peninsula can be considered at that time.</p>
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1.5	Sanitation Districts	<p><u>Chapter 7-8 Los Angeles River Nitrogen Compounds and Related Effects TMDL</u> Resolution No. 03-009 ("Amendment to the Water Quality Control Plan - Los Angeles Region to Incorporate the Los Angeles River Nitrogen Compounds and Related Effects TMDL") has an effective date of March 23, 2004 while Resolution No. 03-016 ("Revision of interim effluent limits for ammonia in the Amendment to the Water Quality Control Plan for the Los Angeles Region to include a TMDL for Nitrogen Compounds and Related Effects in the Los Angeles River, Resolution 03-009"), which amends Resolution No. 03-009, has an effective date of September 27, 2004. Therefore, on page 7-</p>	<p>The correct effective date of the TMDL would be the most recent date (September 27, 2004), which reflects the most recent amendment. There can only be one effective date for the TMDL, and listing more than one effective date may cause confusion.</p>																																													

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		89 of the proposed Basin Plan amendment, the Regional Board should change the effective date of this TMDL to March 23, 2004 and list a separate line item for the effective date of the TMDL amendment as September 27, 2004. In addition, on page 793, the underlined text "Interim Limits for NH ₃ -N and N ₀₃ -N + N ₀₂ -N" should contain the numbers as subscripts (i.e. NH ₃ -N and N ₀₃ -N +N ₀₂ -N).	
1.6	Sanitation Districts	In conclusion, the Sanitation Districts support the Regional Board's update of the Basin Plan and commend Regional Board staff for its work in incorporating the previously adopted TMDLs.	Comment noted.
2.1	Joyce Dillard	Though approved, the Total Daily Maximum Loads have few testing and control sites to be of use.	Comment noted.
2.2	Joyce Dillard	It is noticed that this addition is “non-regulatory.” If the case, then under what authority does this adoption fall.	An administrative update of the Basin Plan was identified as a priority project to be addressed during the most recent triennial review (Resolution No. R10-001). State and federal laws mandate the periodic review and, if necessary, update of Basin Plans (see section 303(c)(1) of the Clean Water Act, section 131.20(a) of title 40 of the Code of Federal Regulations, and section 13240 of the California Water Code). The proposed action is an update of the Basin Plan to clarify existing regulatory requirements.
2.3	Joyce Dillard	This attempt to “administratively update” is not the proper method to update a Basin Plan. The adoption was in 1995 or 16 years ago. This is too old a Plan for planning purposes.	It is the Regional Board’s intent that in the future, the Basin Plan will be more routinely updated to reflect each newly adopted Basin Plan amendment. At present, however, we are focused on updating the 1994 Basin Plan in its entirety and expect to complete the update by

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			summer 2012. See comment 1.2
2.4	Joyce Dillard	Municipalities are bound by the General Plan and its Elements under Public Health and Safety.	Comment noted.
2.5	Joyce Dillard	There is no “clarity and convenience.” In fact, it is confusing. We cannot see the correlation to “beneficial use” In fact, it looks like a set up for recycled water, which may or not be necessary.	The commenter’s conclusion that there is no clarity and convenience or correlation to beneficial use is not explained and Regional Board staff does not understand the commenter’s concerns.
2.6	Joyce Dillard	The jurisdictions we see in this Plan are for stormwater, a function of the Bureau of Sanitation in the City of Los Angeles. Groundwater, on the other hand, is a water supply issue and under the jurisdiction of the Los Angeles Department of Water and Power.	Comment noted.
2.7	Joyce Dillard	This update does not touch on groundwater or on its contamination. There has been a Grand Jury report on this issue.	The purpose of the chapter 7 update is only to incorporate previously approved TMDLs into the Basin Plan, and does not seek to address any additional water quality problems. Furthermore, TMDLs are required under section 303(d) of the Clean Water Act to address impaired surface waters, not groundwater. See comment 1.2
2.8	Joyce Dillard	Contamination from oil fields and wells, from a history of production with lean to no records, should be taken into account.	See comment 2.7
2.9	Joyce Dillard	Just from a review of the USEPA Region 4 Impaired Water Bodies, there are pathogen problems around those coastal water bodies:	Comment noted. Every water body identified by the commenter has been addressed by one of the previously adopted TMDLs being

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		<p>BAY and HARBOR includes:</p> <ol style="list-style-type: none"> 1. Los Angeles Harbor-Inner Cabrillo Beach Area 2. Los Angeles/Long Beach Inner Harbor 3. Marina del Rey Harbor-Back Basins 4. Ventura Harbor: Ventura Keys <p>COASTAL & BAY SHORELINE includes:</p> <ol style="list-style-type: none"> 1. Avalon Beach 2. Bluff Cove Beach 3. Cabrillo Beach (Outer) 4. Carbon Beach 5. Castlerock Beach 6. Dan Blocker Memorial (Coral) Beach 7. Dockweiler Beach 8. Hermosa Beach 9. Las Flores Beach 10. Las Tunas Beach 11. Leo Carillo Beach (South of County Line) 12. Long Beach City Beach 13. Lunada Bay Beach 14. Malaga Cove Beach 15. Malibu Beach 16. Malibu Lagoon Beach (Surfrider) 17. Manhattan Beach 18. Marina del Rey Harbor Beach 19. Nicholas Canyon Beach 20. Palo Verde Shoreline Park Beach 21. Paradise Cove Beach 22. Peninsula Beach 	<p>incorporated into the Basin Plan as part of this action, except Dominguez Channel Estuary. Additional listings on the Clean Water Act Section 303(d) will be addressed in future TMDLs. Those TMDLs will be incorporated into the Basin Plan.</p>

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		23. Point Dume Beach 24. Point Fermin Park Beach 25. Point Vicente Beach 26. Portuguese Bend Beach 27. Promenade Park Beach 28. Redondo Beach 29. Santa Monica Beach 30. Surfers Point at Seaside Topanga Beach Torrance Beach 31. Trancas Beach (Broad Beach) 32. Venice Beach 33. Will Rogers Beach 34. Zuma Beach (Westward Beach) ESTUARY includes: 1. Dominguez Channel Estuary 2. Malibu Lagoon 3. Santa Clara River Estuary	
2.10	Joyce Dillard	Have you addressed the problem in relationship to (broken) sewer lines and odors, an aspect of Heal the Bay v. Browner.	See comment 2.7
2.11	Joyce Dillard	This looks like a project, not an administrative action.	Comment noted. See comment 2.2
2.12	Joyce Dillard	You also bind yourself into an amendment without an Adaptive Management Strategy. Translated, that means finding a way to solve a problem through applied science and hopefully, with low cost. This “Amendment” ties ones hands, is not allow creativity and problem solving.	See comment 1.2 In addition, these previously adopted TMDLs implement an adaptive management approach. These TMDL do not specify the manner of compliance to achieve the TMDLs. Responsible jurisdictions may comply in any

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			lawful manner.
2.13	Joyce Dillard	Please re-issue the Basin Plan with consideration for Sea-Level rise and conditions that affect Greenhouse Gas Emissions and the Southern California Bight.	See comment 1.2.
2.14	Joyce Dillard	Please note you have a member of your Board that also sits on Proposition O Citizens Oversight Committee, which is a Conflict of Interest.	Comments pertaining to conflict of interest issues are outside the scope of the non-regulatory amendment to incorporate previously adopted TMDLs by adding “Chapter 7: TMDLs” to the Basin Plan.
3.1	Teresa Jordan	The comment letter consists of numerous suggested editorial changes to the Chapter 7 table of contents, introduction, and TMDL summaries.	Regional Board appreciates the editing suggestions from this commenter, but does not believe that any changes are necessary for the purpose of improving clarity in these TMDLs, or Chapter 7, as a whole.